

### Council Communication

Department: Public Works Division: Building Case/Project No.	Ordinance No. <u>6059</u>	First Reading: <u>3/8/2010</u> Second Reading <u>3/29/2010</u> Third Reading
<b>Subject/Title</b>		
<b>AN ORDINANCE</b> to amend Chapter 13.12 entitled "Plumbing Code" of Title 13 entitled "Buildings and Construction" of the 2005 Municipal Code of Council Bluffs, Iowa, by adding Section 13.12.024 entitled "Administrative Provisions", by adding Section 13.12.026 entitled "Fuel Gas Piping", by adding Section 13.12.028 entitled "Code Amendments", and by deleting Sections 13.12.030 to 13.12.110 to be codified.		
<b>Background/Discussion</b>		
<p>The State of Iowa mandates that jurisdictions adopt the State Plumbing Code as amended by the State Department of Health and described in Title 641 of the Iowa Administrative Code in Chapter 25 Section 641-25.1(135).</p> <p>The adoption of the Plumbing Code as found in Municipal Code Section 13.12.010 is a part of this ordinance.</p> <p>This ordinance advises that the Administrative Provisions of Chapter 1 of the Uniform Plumbing Code will now be found in Chapter 13.01 of the Municipal Code.</p> <p>This ordinance declares that the Fuel Gas Piping provisions shall be as adopted and amended by the State of Iowa.</p> <p>This ordinance advises the Amendments to the Plumbing Code are to be as currently adopted by the State of Iowa.</p>		
<b>Recommendation</b>		
The Public Works Director and the Building Official recommend that the City Council favorably consider this proposed ordinance and pass it into law.		

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Public Works Director's Signature

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Mayor's Signature

\_\_\_\_\_  
Building Official's Signature

## **ORDINANCE # 6059**

**AN ORDINANCE** to amend Chapter 13.12 entitled “Plumbing Code” of Title 13 entitled “Buildings and Construction” of the 2005 Municipal Code of Council Bluffs, Iowa, by adding Section 13.12.024 entitled “Administrative Provisions”, by adding Section 13.12.026 entitled “Fuel Gas Piping”, by adding Section 13.12.028 entitled “Code Amendments”, and by deleting Sections 13.12.030 to 13.12.110 to be codified.

### **BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF COUNCIL BLUFFS, IOWA:**

#### **SECTION 1. PROVISIONS.**

That Chapter 13.12 entitled “Plumbing Code” of Title 13 entitled “Buildings and Construction” of the 2005 Municipal Code of Council Bluffs, Iowa, is hereby amended by adding Section 13.12.024 entitled “Administrative Provisions” and Section 13.12.026 entitled “Fuel Gas Piping”, to be codified and to read as follows:

**SECTION 13.12.024 ADMINISTRATIVE PROVISIONS.** The Chapter 1 administrative provisions for the Plumbing Code shall be as provided for in Chapter 13.01 of the Municipal Code.

#### **SECTION 13.12.026 FUEL GAS PIPING.**

The City of Council Bluffs shall be consistent with the State of Iowa Fuel Gas Piping Code that is currently adopted by the State of Iowa Health Department as found in IAC 641-25.3(135).

The Fuel Gas Piping Code shall be the editions as adopted by the State of Iowa of the ANSI/NFPA 54, National Fuel Gas Code, and the liquefied petroleum gas facilities and appliances shall comply with the requirements of ANSI/NFPA 58, Standard for the Storage and Handling of Liquefied Petroleum Gases.

#### **SECTION 2. DELETIONS.**

That Chapter 13.12 entitled “Plumbing Code” of Title 13 entitled “Building and Construction” of the Municipal Code of Council Bluffs, Iowa, is hereby amended by repealing Sections 13.12.030 through and including Section 13.12.110 of the Municipal Code.

#### **SECTION 3. CODE AMENDMENTS.**

##### **SECTION 13.12.028 AMENDMENTS.**

1. The Plumbing Code shall be as amended by the State of Iowa in IAC 641-25.4(135)
2. The Chapter 1 administrative provisions shall be as per Chapter 13.01 of the Municipal Code.

#### **SECTION 4. REPEALER.**

All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

#### **SECTION 5. SEVERABILITY CLAUSE.**

If any of the provisions of this ordinance are for any reason declared illegal or void, then the lawful

provisions of this ordinance which are severable from said unlawful provisions shall be and remain in full force and effect, the same as if the ordinance contained no illegal or void provisions.

**SECTION 6. EFFECTIVE DATE.**

This ordinance shall be in full force and effect from and after its final passage and publication ( - - 2010) as by law provided.

PASSED  
AND  
APPROVED: \_\_\_\_\_, 2010

\_\_\_\_\_  
Thomas P. Hanafan, Mayor

Attest: \_\_\_\_\_  
Marcia L. Worden, City Clerk

First Consideration: 3/8/2010  
Second Consideration: 3/29/2010  
Third Consideration:

## CHAPTER 25 STATE PLUMBING CODE

[Prior to 7/29/87, see Health Department[470] Ch 25]

**641—25.1(135) Adoption.** Sections of Chapter 1 listed below, Chapters 2 to 10, and Chapters 13 to 15 of the Uniform Plumbing Code, 2000 Edition, as published by the International Association of Plumbing and Mechanical Officials, 20001 South Walnut Drive, Walnut, California 91789-2825, are hereby adopted by reference with amendments as the state plumbing code authorized by Iowa Code section 135.11(5).

101.3 101.5 103.8 101.4 103.5.3

Local ordinances or rules and regulations may provide for higher but not lower standards than those found in the state plumbing code. Local ordinances or rules and regulations shall be consistent with Iowa Code section 364.3(3).

**641—25.2(135) Applicability.** The provisions of this code are applicable to the plumbing in buildings or on premises within cities and to plumbing in a building or on premises located outside the corporate limits of any city if the building or premises is served by an individual connection to a municipally owned water distribution system or wastewater collection system.

**641—25.3(135) Fuel gas piping.** Fuel gas piping shall comply with the requirements of ANSI/NFPA 54, National Fuel Gas Code, 1999 Edition. Liquefied petroleum gas facilities and appliances shall comply with the requirements of ANSI/NFPA 58, Standard for the Storage and Handling of Liquefied Petroleum Gases, 2001 Edition.

**641—25.4(135) Amendments to the Uniform Plumbing Code.**

**25.4(1)** Section 413.1. Add the following after the table and before the footnotes: A restaurant with an occupancy of 50 or less complies with these requirements if it has one restroom with one water closet and one lavatory.

NOTE: The rules of the Iowa department of inspections and appeals require that separate restrooms for males and females be provided in facilities that serve beer or liquor (481—31.9(137F)). Urinal requirements apply only to male-only restrooms. The division of occupancy is to be based upon one half being male and one half being female. The

number of occupants shall be determined by use and the occupancy class of the state building code or the local building code that is in effect.

The number of fixtures may be graduated within the group. Example: 8:101-200

4 fixtures are required for 100 persons.

5 fixtures are required for 101-125 persons.

6 fixtures are required for 126-150 persons.

7 fixtures are required for 151-175 persons.

8 fixtures are required for 176-200 persons.

Accessibility for the physically disabled shall be provided as required by Iowa Code chapter 103A.

**25.4(2)** Section 501.0. Delete the second sentence of the section and delete Table 5-1.

**25.4(3)** Section 510.8. Delete the section.

**25.4(4)** Section 603.2. Delete subsection 603.2.3.

**25.4(5)** Section 603.4. Delete the text of subsection 603.4.13 and insert in lieu thereof the following:

The potable water supply to carbonator shall be protected by a stainless steel dual check valve with an atmospheric vent as approved by the administrative authority for the specific use.

**25.4(6)** Section 604.1.

Add a note to the end of the section:

NOTE: The use of plastic water supply pipe above grade inside certain licensed care facilities is prohibited by the rules of the Iowa department of inspections and appeals [481—subrules 60.11(4) and 61.11(4), Iowa Administrative Code].

**25.4(7)** Section 604.2. Delete the section and insert in lieu thereof the following:

604.2 Copper tube for water piping shall have a weight of not less than Type M copper tubing.

EXCEPTION: Copper tube for underground water piping shall have a weight of not less than Type K copper tubing.

**25.4(8)** Section 701.1. Delete subsections 701.1.4 and 701.1.5 and insert in lieu thereof:

701.1.4 Copper tube for underground drainage and vent piping shall have a weight of not less than that of copper drainage tube Type L.

701.1.5 Copper tube for aboveground drainage and vent piping shall have a weight of not less than that of copper drainage tubing Type M.

EXCEPTION: Type DWV may be used in one- and two-family dwellings.

**25.4(9)** Section 703.1. Add this sentence to the end of the section:

No underground drainage piping shall be less than two inches in diameter.

**25.4(10)** Section 710.1. Add the following sentences to the end of the section:

The requirement for the installation of a backwater valve shall apply only when it is determined necessary by the administrative authority based on local conditions. When a valve is required by the administrative authority, it shall be a manually operated gate valve or fullway ball valve. An automatic backwater valve may also be installed, but is not required.

**25.4(11)** Section 710.14. Delete the section.

**25.4(12)** Section 717.0. Add this sentence to the end of the section:

The minimum diameter for a building sewer shall be four inches.

**25.4(13)** Section 807.4. Delete the section and insert in lieu thereof the following:

807.4 No domestic dishwashing machine shall be directly connected to a drainage system or food waste disposer without the use of an approved dishwasher air gap fitting on the discharge side of the dishwashing machine, or by looping the discharge line of the dishwasher as high as possible near the flood level of the kitchen sink where the waste disposer is connected. Listed air gap fittings shall be installed with the flood level (FL) marking at or above the flood level of the sink or drainboard, whichever is higher.

**25.4(14)** Section 903.2. Delete subsections 903.2.1 and 903.2.2 and insert in lieu thereof the following:

903.2.1 Copper tube for underground drainage and vent piping shall have a weight of not less than that of copper drainage tube Type L.

903.2.2 Copper tube for aboveground drainage and vent piping shall have a weight of not less than that of copper drainage tubing Type M.

EXCEPTION: Type DWV may be used in one- and two-family dwellings.

**25.4(15)** Section 904.1. Delete the third sentence of the section and the exception and insert in lieu thereof the following:

No underground vent piping shall be less than two inches in diameter. Each building shall have a vent stack or main vent equal in size or larger than the required building sewer. The vent stack or main vent shall extend through the roof undiminished in size.

EXCEPTION: In residential buildings of four stories or less, a three-inch vent stack or main vent is permitted. For the purposes of this exception, "residential" includes hotels and motels.

**25.4(16)** Section 906.7. Change "two (2) inches (50.8 mm)" to "three (3) inches (76.2 mm)".

**25.4(17)** Section 908.0. Delete "Vertical" from the section title.

**25.4(18)** Section 908.1. Delete "vertical" in the first sentence of the section.

**25.4(19)** Section 1002.2. Delete Table 10-1 and insert in lieu thereof the following:

TABLE 10-1

Horizontal Distance of Trap Arms

(Except for water closets and similar fixtures)\*

**Trap Arm Size Distance Trap to Vent**

**Inches Millimeters Feet Meters**

1¼ 31.8 5 1.52

1½ 38.1 6 1.83

2 50.8 8 2.44

3 76.2 12 3.66

4 and larger 102 and larger 12 3.66

Slope one-fourth (1/4) inch per foot (20.9 mm/m)

\*The developed length between the trap of a water closet or similar fixture (measured from the top of the closet ring (closet flange) to the inner edge of the vent) and its vent shall not exceed six (6) feet (1.8 m).

**25.4(20) Appendices.** Chapter 11 and the appendices in the Uniform Plumbing Code are not approved as part of the Iowa state plumbing code; however, except for Appendix K (private sewage disposal), Chapter 11 and the appendices may be used as a point of reference when circumstances warrant.

567—Chapter 69, Iowa Administrative Code, is the standard for private sewage disposal. Chapter 12 of the Uniform Plumbing Code, 2000 Edition, may be used to govern fuel gas piping except as it conflicts with ANSI/NFPA 54, National Fuel Gas Code, 1999 Edition, or ANSI/NFPA 58, Standard for the Storage and Handling of Liquefied Petroleum Gases, 2001 Edition.

**641—25.5(135) Backflow prevention with containment.** Cities with populations of 15,000 or greater as determined by the 1990 census or any subsequent special census shall enact a backflow prevention program with containment by January 1, 1996. The minimum requirements for a program are given in subrules 25.5(1) through 25.5(5). These requirements are in addition to the applicable requirements of Section 603 of the Uniform Plumbing Code, 2000 Edition.

**25.5(1) Definitions.** The following definitions are added to those in Chapter 2 and Section 603 of the Uniform Plumbing Code, 2000 Edition, or are modified from those definitions for the purposes of rule 641—25.5(135) only.

*a. Administrative authority.* The administrative authority for this rule is the city council and its designees.

*b. Approved backflow prevention assembly for containment.* Approved backflow prevention assembly for containment means a backflow prevention assembly which is approved by the University of Southern California—Foundation for Cross Connection Control and Hydraulic Research. The approval listing shall include the limitations of use based on the degree of hazard. The backflow prevention assembly shall also be listed by the International Association of Plumbing and Mechanical Officials (IAPMO) or by the American Society of Sanitary Engineering (ASSE) as having met the requirements of one of the standards listed below.

**Standard Product Covered**

ANSI/ASSE\* 1013-1999 Reduced Pressure Principle Backflow Preventers

ANSI/ASSE\* 1015-1999 Double Check Backflow Prevention Assembly

ANSI/ASSE\* 1047-1999 Reduced Pressure Detector Backflow Preventer

ANSI/ASSE\* 1048-1999 Double Check Detector Assembly Backflow Preventer

ANSI/AWWA† C510-97 Double Check Valve Backflow Prevention Assembly

ANSI/AWWA† C511-97 Reduced-Pressure Principle Backflow Prevention Assembly

□American National Standards Institute, 1819 L Street NW, Washington, DC 20036

\*American Society of Sanitary Engineering, 28901 Clemens Road, Suite 100, Westlake, OH 44145

†American Water Works Association, 6666 West Quincy Avenue, Denver, CO 80235

*c. Approved backflow prevention assembly for containment in a fire protection system.* Approved backflow prevention assembly for containment in a fire protection system means a backflow prevention assembly to be used in a fire protection system which meets the requirements of Factory Mutual Research Corporation (FM) and Underwriters Laboratory (UL) in addition to the requirements of 25.5(1) “b.”

*d. Containment.* Containment is a method of backflow prevention which requires a backflow prevention assembly on certain water services. Containment requires that the backflow prevention assembly be installed on the water service as close to the public water supply main as is practical.

*e. Customer.* Customer means the owner, operator or occupant of a building or property which has a water service from a public water system, or the owner or operator of a private water system which has a water service from a public water system.

*f. Degree of hazard.* Degree of hazard means the rating of a cross connection or a water service which indicates if it has the potential to cause contamination (high hazard) or pollution (low hazard).

*g. Water service.* Depending on the context, water service is the physical connection between a public water system and a customer’s building, property or private water system, or the act of providing potable water from a public water system to a customer.

**25.5(2) Proposed water service.**

- a.* No person shall install, or cause to have installed, a water service to a building, property or private water system before the administrative authority has evaluated the proposed water service for degree of hazard.
- b.* The administrative authority shall require the submission of plans, specifications and other information deemed necessary for a building, property or private water system to which a water service is proposed. The administrative authority shall review the information submitted to determine if cross connections will exist and the degree of hazard.
- c.* The owner of a building, property or private water system shall install, or cause to have installed, an approved backflow prevention assembly for containment as directed by the administrative authority before water service is initiated.
- d.* Reconstruction of an existing water service shall be treated as a proposed water service for the purposes of rule 641—25.5(135).

**25.5(3) Existing water services.**

- a.* The administrative authority shall publish the standards which it uses to determine the degree of hazard for a water service. These shall be consistent with standards published by the Iowa Department of Public Health.
- b.* Each customer shall survey the activities and processes which receive water from the water service and shall report to the administrative authority if cross connections exist and the degree of hazard.
- c.* The administrative authority may inspect the plumbing of any building, property and private water system which has a water service to determine if cross connections exist and the degree of hazard.
- d.* If, based on information provided through 25.5(3) “b” and “c,” the administrative authority determines that a water service may contaminate the public water supply, the administrative authority shall require that the customer install the appropriate backflow prevention assembly for containment.
- e.* If a customer refuses to install a backflow prevention assembly for containment when it is required by the administrative authority, the administrative authority may order that water service to the customer be discontinued until an appropriate backflow prevention assembly is installed.

**25.5(4) Backflow prevention assemblies for containment.**

- a.* Backflow prevention assemblies for containment shall be installed immediately following the water meter or as close to that location as deemed practical by the administrative authority.
- b.* A water service determined to present a high hazard shall be protected by an air gap or an approved reduced-pressure principle backflow prevention assembly.
- c.* A water service determined to present a low hazard shall be protected by an approved double check valve assembly or as in 25.5(4) “b.”
- d.* A water service to a fire protection system shall be protected from backflow in accordance with the recommendations of American Water Works Association Manual M14. Where backflow prevention is required for a fire protection system, an approved backflow prevention assembly for containment in a fire protection system shall be used.

**25.5(5) Backflow incidents.**

- a.* The customer shall immediately notify the agency providing water service when the customer becomes aware that backflow has occurred in the building, property or private water system receiving water service.
- b.* The administrative authority may order that a water service be temporarily shut off when a backflow occurs in a customer’s building, property or private water system.

These rules are intended to implement Iowa Code chapter 135.

[Filed 12/3/81, Notice 9/2/81—published 12/23/81, effective 1/27/82]

[Filed 2/24/84, Notice 10/26/83—published 3/14/84, effective 4/18/84]

[Filed emergency 7/11/86 after Notice 4/23/86—published 7/30/86, effective 7/11/86]

[Filed emergency 7/10/87—published 7/29/87, effective 7/10/87]

[Filed 1/17/89, Notice 11/16/88—published 2/8/89, effective 3/15/89]

[Filed 7/17/92, Notice 1/22/92—published 8/5/92, effective 9/9/92]

[Filed 5/13/96, Notice 3/13/96—published 6/5/96, effective 7/10/96]

[Filed 9/14/01, Notice 8/8/01—published 10/3/01, effective 11/19/01]



### Council Communication

Department: Public Works Division: Building Case/Project No.	Ordinance No. <u>6060</u>	First Reading <u>3/8/2010</u> Public Hearing N/A Second Reading <u>3/29/2010</u> Third Reading
<b>Subject/Title</b>		
AN ORDINANCE to amend Title 13 entitled "Buildings and Construction" of the 2005 Municipal Code of Council Bluffs, Iowa, by repealing Chapter 13.16 in its entirety and enacting a new Chapter 13.16 to be codified and entitled "Electrical Code".		
<b>Background/Discussion</b>		
This proposed ordinance updates the National Electrical Code from the 2002 edition to the 2008 edition which will make it consistent with the State of Iowa Code as adopted, amended, and mandated by the State of Iowa Public Safety Department in the Iowa Administrative Code Section 661-301.5 (103A).		
<b>Significant Amendments</b>		
The administrative provisions for this code are proposed to be moved to Chapter 13.01 of the Municipal Code for conformity and simplicity. The proposed amendments are the same as the State of Iowa. These amendments are required for new construction and major alterations.		
<b>Recommendation</b>		
The Public Works Director and the Building Official recommend that the City Council favorably consider this proposed ordinance and pass it into law.		

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Public Works Director's Signature

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Mayor's Signature

\_\_\_\_\_  
Building Official's Signature

## **ORDINANCE # 6060**

**AN ORDINANCE** to amend Title 13 entitled “Buildings and Construction” of the 2005 Municipal Code of Council Bluffs, Iowa, by repealing Chapter 13.16 in its entirety and enacting a new Chapter 13.16 to be codified and entitled “Electrical Code”

### **BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF COUNCIL BLUFFS, IOWA:**

#### **SECTION 1. ADOPTION.**

That Title 13 entitled “Buildings and Construction” of the 2005 Municipal Code of Council Bluffs, Iowa, is hereby amended by repealing Chapter 13.16 in its entirety and enacting a new Chapter 13.16 to be codified and entitled “Electrical Code”, to read as follows:

##### **SECTION 13.16.010 ADOPTION.**

That a certain document being designated as the National Electrical Code as published by National Fire Protection Association of Quincy, Massachusetts, the same is adopted as the Electrical Code of the city of Council Bluffs, Iowa, which is on file and open for inspection by the public in the office of the Building Official, is hereby referred to, adopted, and made a part hereof as if fully set out in this chapter.

The city of Council Bluffs Electrical Code shall be coincide with the State of Iowa Electrical Code as adopted, amended, and mandated by the State of Iowa Public Safety Department as described in the Iowa Administrative Code in Section 661-301.5 (103A) entitled “Electrical requirements” except for any administrative provisions.

#### **SECTION 2. SPECIAL PROVISIONS.**

The above adopted National Electrical Code shall have these special provisions as follows:

**SECTION 13.16.020 ADMINISTRATIVE PROVISIONS.** The administrative provisions for this Electrical Code shall be as provided for in Chapter 13.01 of the Municipal Code.

##### **SECTION 13.16.030 GENERAL PROVISIONS.**

This electrical code shall regulate the design, construction, quality of materials, erection, installation, alteration, repair, location, relocation, replacements, additions to, use or maintenance of electrical systems that are permanently installed and utilized to provide control of electrical systems and electrical equipment within buildings, structures, and facilities.

This Electrical Code shall be enforced with the city limits of Council Bluffs, Iowa, which provides for issuance of permits and collection of fees thereof; and each and all of the regulations, provisions, conditions and terms of the National Electrical Code as published by the NFPA.

### **SECTION 3. STANDARDS**

**13.16.200 - Electrical Standards.** These additional electrical standards are also adopted in full in their most current published edition as follows:

- (1) The Electric Service Manual as published by MidAmerican Energy;
- (2) The Standards for Safety for Electric Signs by Underwriters Laboratories, Inc.;
- (3) The NFPA 496 Purged and Pressurized Enclosures for Electrical Equipment;
- (4) The NFPA 820 Fire Protection in Wastewater Treatment & Collection Facilities;
- (5) The NFPA 30 Flammable and Combustible Liquids Code;
- (6) The NFPA 99 Health Care Facilities;
- (7) The NFPA 20 Standard for the Installation of Centrifugal Fire Pumps; and
- (8) The NFPA 101 Life Safety Code;
- (9) The NFPA 73 Electrical Inspection Code for Existing Dwellings; and
- (10) The NFPA 70 National Electrical Safety Code;

The above standards shall serve as additional rules and requirements where applicable for electrical construction work. The provisions set forth in these regulations shall govern when requiring a higher minimum standard than set out in the National Electrical Code as adopted.

### **SECTION 4. REPEALER.**

All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

### **SECTION 5. SEVERABILITY CLAUSE.**

If any of the provisions of this ordinance are for any reason declared illegal or void, then the lawful provisions of this ordinance which are severable from said unlawful provisions shall be and remain in full force and effect, the same as if the ordinance contained no illegal or void provisions.

### **SECTION 6. EFFECTIVE DATE.**

This ordinance shall be in full force and effect from and after its final passage and publication ( - - 10) as by law provided.

PASSED  
AND  
APPROVED: \_\_\_\_\_, 2010

\_\_\_\_\_  
Thomas P. Hanafan, Mayor

Attest:

\_\_\_\_\_  
Marcia L. Worden, City Clerk

First Consideration: 3/8/2010  
Public Hearing: N/A  
Second Consideration: 3/29/2010  
Third Consideration:

## 661—301.5

(103A)

### **Electrical requirements.**

The provisions of the National Electrical Code, 2008 edition, published by the National Fire Protection Association, 1 Batterymarch Park, Quincy, MA 02169-7471, are hereby adopted by reference as the requirements for electrical installations, with the following amendment:

Delete section 210.8, paragraph (A) and insert in lieu thereof the following new paragraph:

(A) Dwelling Units. All 125-volt, single-phase, 15- and 20-ampere receptacles installed in the locations specified in (1) through (8) shall have ground-fault circuit-interrupter protection for personnel.

(1) Bathrooms.

(2) Garages, and also accessory buildings that have a floor located at or below grade level not intended as habitable rooms and limited to storage areas, work areas, and areas of similar use.

Exception No. 1 to (2): Receptacles that are not readily accessible.

Exception No. 2 to (2): A single receptacle or a duplex receptacle for two appliances located within dedicated space for each appliance that, in normal use, is not easily moved from one place to another and that is cord-and-plug connected in accordance with 400.7(A)(6), (A)(7), or (A)(8).

Receptacles installed under the exceptions to 210.8(A)(2) shall not be considered as meeting the requirements of 210.52(G).

(3) Outdoors.

Exception to (3): Receptacles that are not readily accessible and are supplied by a dedicated branch circuit for electric snow-melting or deicing equipment shall be permitted to be installed in accordance with 426.28.

(4) Crawl spaces—at or below grade level.

(5) Unfinished basements—for purposes of this section, unfinished basements are defined as portions or areas of the basement not intended as habitable rooms and limited to storage areas, work areas, and the like.

Exception No. 1 to (5): Receptacles that are not readily accessible.

Exception No. 2 to (5): A single receptacle or a duplex receptacle for two appliances located within dedicated space for each appliance that, in normal use, is not easily moved from one place to another and that is cord-and-plug connected in accordance with 400.7(A)(6), (A)(7), or (A)(8).

Exception No. 3 to (5): A receptacle supplying only a permanently installed fire alarm or burglar alarm system shall not be required to have ground-fault circuit-interrupter protection.

Receptacles installed under the exceptions to 210.8(A)(5) shall not be considered as meeting the requirements of 210.52(G).

(6) Kitchens—where the receptacles are installed to serve the countertop surfaces.

(7) Laundry, utility, and wet bar sinks—where the receptacles are installed within 1.8 m (6 ft) of the outside edge of the sink.

(8) Boathouses.

## Council Communication

Department: Public Health	Ordinance No. <u>6051</u>	First Reading <u>2/22/2010</u> Second Reading <u>3/8/2010</u> Third Reading <u>3/29/2010</u>
An Ordinance to amend Chapter 2.08, Schedule of Fees” of the 2005 Municipal Code of Council Bluffs, Iowa, by amending Section 2.08.040 “Fees and charges authorized in Title 4”, to increase fees based on comparative analysis and to off-set increased costs to the City.		
<b>Background/Discussion</b> <p>Currently, sanitation bills are distributed every 6 months for refuse collection and disposal. These bills are due January 1<sup>st</sup> and July 1<sup>st</sup> of every year. Residents have until March 15<sup>th</sup> and September 15<sup>th</sup> of every year to submit payment. After the abovementioned dates, the bills are considered late. At this time, there are 5,617 accounts that are considered late and there is no financial incentive for residents to pay on time. We would recommend adding a late fee of \$20 to every billing cycle, i.e., any account that is paid after the March 15<sup>th</sup> and/or September 15<sup>th</sup> dates.</p> <p>In addition, unpaid fees that are 120 days late are considered delinquent and go to lien. The costs are assessed against the property which is delinquent. Currently there is a \$5 administrative added to the delinquent bill when going to lien. We would recommend the administrative fee be increased to \$50. As well, we would recommend that City lien properties that are delinquent on a semi-annual basis rather than an annual basis.</p> <p>These two actions should create the financial incentive to pay refuse fees on time and dramatically reduce the number of properties that are liened for non-payment.</p>		
<b>Recommendation</b> <p>At the February 3, 2010, Board of Health meeting, the board members recommended that the City Council concur with the recommended late fee and increased administrative fee for delinquent accounts. I recommend the City Council approve the Ordinance approving the specific increases to the Solid Waste fees.</p>		

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Donn Dierks, Director of Public Health

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Thomas P. Hanafan, Mayor

ORDINANCE NO. 6051

AN ORDINANCE to amend Chapter 2.08 "Schedule of Fees" of the 2005 Municipal Code of Council Bluffs, Iowa, by amending Section 2.08.040 "Fees and charges authorized in Title 4" to increase fees based on comparative analysis and to off-set increased costs to the City.

B E I T O R D A I N E D  
BY THE CITY COUNCIL  
OF THE  
CITY OF COUNCIL BLUFFS, IOWA:

SECTION 1. That Chapter 2.08 "Schedule of Fees" of the Council Bluffs Municipal Code be and the same is hereby amended by repealing Section 2.08.040 "Fees and charges authorized in Title 4" and enacting a new Section 2.08.040 "Fees and charges authorized in Title 4", to read as follows:

**2.08.040 Fees and charges authorized in Title 4.**

<b>Municipal Code Section</b>	<b>Description of License, Fee, or Permit</b>	<b>Charge</b>
4.12.090	Commercial Collection (Annual fee)	\$ 40.00/pickups 75.00/packers/ large trucks
4.12.110(a)	Residential Solid Waste Collection and Disposal	192.00/year
4.12.110(b)	Special Residential Solid Waste Collection and Disposal for applicants whose combined gross household income does not exceed \$13,690.00	96.00/year
4.12.110(c)	Extra bag charge	2.50/bag
	<u>Late fee for nonpayment</u>	<u>\$20.00/billing cycle</u>
4.12.160(c)	<u>Administrative fee for delinquent account</u>	<u>\$50.00/account</u> <u>\$5/account</u>

SECTION 2. Repealer. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed. This is Ordinance No. 6002, Section 1 (2008).

SECTION 3. Severability Clause. If any of the provisions of this ordinance are for any reason declared illegal or void, then the lawful provisions of this ordinance which are severable from said unlawful provisions shall be and remain in full force and effect, the same as if the ordinance contained no illegal or void provisions.

SECTION 4. Effective Date. This ordinance shall be in full force and effect from and after its final passage and publication, as by law provided.

PASSED  
AND  
APPROVED

March 8, 2010

\_\_\_\_\_  
THOMAS P. HANAFAN

\_\_\_\_\_  
Mayor

Attest: \_\_\_\_\_

MARCIA L. WORDEN

\_\_\_\_\_  
City Clerk

First Consideration:	<u>February 22, 2010</u>
Second Consideration:	<u>March 8, 2010</u>
Public Hearing:	<u>None required</u>
Third Consideration:	<u>March 29, 2010</u>

**Council Communication**  
**February 22, 2010 City Council Meeting**

Department: Community Development  Case/Project Nos.: URV-99-002 & URV 02-001	Ordinance Nos.:  Resolution Nos.: <u>10-62</u>	First Reading: 2-22-10 Resolution Postponed to 3-8-2010 Public Hearing: 3-8-10
<b>Subject/Title</b>		
1) Repeal of the 23 <sup>rd</sup> Avenue Urban Revitalization Plan, Area and Ordinance 2) Repeal of the Valley View Urban Revitalization Plan, Area and Ordinance		
<b>Background/Discussion</b>		
<u>Background</u> Chapter 404 of the Iowa Code authorizes a City to designate an area as an urban revitalization area. Improvements to qualified real estate within designated areas may then be eligible to receive a total or partial exemption from property taxes for a specified number of years. The exemptions are intended to stimulate private investment by reducing the tax increase that would normally result from making improvements to real estate property. Urban revitalization tax abatement incentives apply to commercial development, industrial development and multi-family residential development (12 units or more). Both new construction on vacant or unimproved land and the rehabilitation of existing structures are eligible for tax abatement.  The City of Council Bluffs currently has four urban revitalization areas. Two of these areas have expired and the projects have been completed. As a result, these two areas should now be repealed.		
<u>Discussion</u> 23 <sup>rd</sup> Avenue – The 23 <sup>rd</sup> Avenue Urban Revitalization Area was originally adopted on February 25, 2002 by Resolution 02-61 and Ordinance 5684. As a result of the creation of this urban revitalization area, AGT Enterprises, Inc. constructed the Star Cinema. The project is now complete.  Valley View – The Valley View Urban Revitalization Area was originally adopted on November 22, 1999 by Resolution 99-293 and Ordinance 5478. This urban revitalization area was amended on December 16, 2002 by Resolution 02-345 to extend the term of the area. As a result of the creation of this urban revitalization area, The Foundation for Affordable Housing constructed the Valley View Estates Apartments. This project added 258 multi-family units to the City's multi-family housing stock and is now complete.		
<b>Staff Recommendation</b> The Community Development Department recommends repealing the 23 <sup>rd</sup> Avenue Urban Revitalization Plan and Area and the Valley View Urban Revitalization Plan and Area including the corresponding ordinances, effective March 15, 2010.		
<b>Attachments</b>		
Resolutions and Ordinances to Repeal		



**RESOLUTION NO. 10-62**

**A RESOLUTION REPEALING THE VALLEY VIEW URBAN REVITALIZATION PLAN AND AREA.**

**WHEREAS,** the City of Council Bluffs has the authority under Chapter 404 of the Iowa Code to declare areas to be urban revitalization areas; and

**WHEREAS,** on November 22, 1999, the City of Council Bluffs adopted Resolution No. 99-293 approving the Valley View Urban Revitalization Plan; and

**WHEREAS,** on December 16, 2002, the City of Council Bluffs adopted Resolution 02-345 amending the Valley View Urban Revitalization Plan by extending the term to December 31, 2002; and

**WHEREAS,** the construction of the Valley View Estates Apartments is now complete and there is no longer a need for the Valley View Urban Revitalization Plan and Area.

**NOW, THEREFORE, BE IT RESOLVED  
BY THE CITY COUNCIL  
OF THE  
CITY OF COUNCIL BLUFFS, IOWA**

That the Valley View Urban Revitalization Plan and Area are hereby repealed, effective March 15, 2010.

ADOPTED  
AND  
APPROVED

March 1, 2010

\_\_\_\_\_  
Thomas P. Hanafan

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
Marcia L. Worden

\_\_\_\_\_  
City Clerk

**Council Communication**  
**February 22, 2010 City Council Meeting**

Department: Community Development  Case/Project Nos.: URV-99-002 & URV 02-001	Ordinance Nos.:  Resolution Nos.: <u>10-63</u>	First Reading: 2-22-10 Resolution Postponed to March 8, 2010 Public Hearing: 3-8-10
<b>Subject/Title</b>		
1) Repeal of the 23 <sup>rd</sup> Avenue Urban Revitalization Plan, Area and Ordinance 2) Repeal of the Valley View Urban Revitalization Plan, Area and Ordinance		
<b>Background/Discussion</b>		
<u>Background</u> Chapter 404 of the Iowa Code authorizes a City to designate an area as an urban revitalization area. Improvements to qualified real estate within designated areas may then be eligible to receive a total or partial exemption from property taxes for a specified number of years. The exemptions are intended to stimulate private investment by reducing the tax increase that would normally result from making improvements to real estate property. Urban revitalization tax abatement incentives apply to commercial development, industrial development and multi-family residential development (12 units or more). Both new construction on vacant or unimproved land and the rehabilitation of existing structures are eligible for tax abatement.  The City of Council Bluffs currently has four urban revitalization areas. Two of these areas have expired and the projects have been completed. As a result, these two areas should now be repealed.		
<u>Discussion</u> 23 <sup>rd</sup> Avenue – The 23 <sup>rd</sup> Avenue Urban Revitalization Area was originally adopted on February 25, 2002 by Resolution 02-61 and Ordinance 5684. As a result of the creation of this urban revitalization area, AGT Enterprises, Inc. constructed the Star Cinema. The project is now complete.  Valley View – The Valley View Urban Revitalization Area was originally adopted on November 22, 1999 by Resolution 99-293 and Ordinance 5478. This urban revitalization area was amended on December 16, 2002 by Resolution 02-345 to extend the term of the area. As a result of the creation of this urban revitalization area, The Foundation for Affordable Housing constructed the Valley View Estates Apartments. This project added 258 multi-family units to the City's multi-family housing stock and is now complete.		
<b>Staff Recommendation</b> The Community Development Department recommends repealing the 23 <sup>rd</sup> Avenue Urban Revitalization Plan and Area and the Valley View Urban Revitalization Plan and Area including the corresponding ordinances, effective March 15, 2010.		
<b>Attachments</b>		
Resolutions and Ordinances to Repeal		

**RESOLUTION NO. 10-63**

**A RESOLUTION REPEALING THE 23<sup>RD</sup> AVENUE URBAN REVITALIZATION PLAN AND AREA.**

**WHEREAS,** the City of Council Bluffs has the authority under Chapter 404 of the Iowa Code to declare areas to be urban revitalization areas; and

**WHEREAS,** on February 25, 2002, the City of Council Bluffs adopted Resolution No. 02-61 approving the 23<sup>rd</sup> Avenue Urban Revitalization Plan; and

**WHEREAS,** the construction of the Star Cinema is now complete and there is no longer a need for the 23<sup>rd</sup> Avenue Urban Revitalization Plan and Area.

**NOW, THEREFORE, BE IT RESOLVED  
BY THE CITY COUNCIL  
OF THE  
CITY OF COUNCIL BLUFFS, IOWA**

That the 23<sup>rd</sup> Avenue Urban Revitalization Plan and Area are hereby repealed, effective March 15, 2010.

ADOPTED  
AND

March 1, 2010

\_\_\_\_\_  
Thomas P. Hanafan

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
Marcia L. Worden

\_\_\_\_\_  
City Clerk

## Council Communication

Department: Parks, Recreation and Public Property	Ordinance No. _____	Date: <u>March 8, 2010</u>																												
Case/Project No.	Resolution No. <u>10-81</u>																													
Applicant: Larry N. Foster																														
<b>Subject/Title</b>																														
For City Council consideration is a resolution awarding a contract in the amount of \$57,400.00 to Aksarben Roofing for the Union Pacific Railroad Museum Roof Replacement Project.																														
<b>Background/Discussion</b>																														
This project consists of the replacement of the existing 9,000 S.F. ballasted EPDM roof with a new full-adhered EPDM roof on the Union Pacific Railroad Museum located at 200 Pearl Street in Council Bluffs, Iowa.																														
The work also includes replacement of turbine ventilators, gutters and downspouts, a new steel access ladder, miscellaneous sheet metal work and sealant.																														
The following are the companies and their bid for replacement of the Union Pacific Railroad Museum roof:																														
<table style="width: 100%; border-collapse: collapse;"><thead><tr><th style="text-align: left;"><u>Company</u></th><th style="text-align: right;"><u>Bid</u></th><th style="text-align: right;"><u>Alternate Bid</u></th><th style="text-align: right;"><u>Total</u></th></tr></thead><tbody><tr><td>Aksarben Roofing</td><td style="text-align: right;">\$53,000.00</td><td style="text-align: right;">\$4,400.00</td><td style="text-align: right;">\$57,400.00</td></tr><tr><td>Riverside Construction</td><td style="text-align: right;">\$56,300.00</td><td style="text-align: right;">\$3,000.00</td><td style="text-align: right;">\$59,300.00</td></tr><tr><td>McKinnis Roofing</td><td style="text-align: right;">\$56,613.00</td><td style="text-align: right;">\$4,723.00</td><td style="text-align: right;">\$61,336.00</td></tr><tr><td>Boone Brothers</td><td style="text-align: right;">\$59,800.00</td><td style="text-align: right;">\$2,900.00</td><td style="text-align: right;">\$62,700.00</td></tr><tr><td>Ida Grove Roofing</td><td style="text-align: right;">\$61,000.00</td><td style="text-align: right;">\$4,600.00</td><td style="text-align: right;">\$65,600.00</td></tr><tr><td>Scott Enterprises</td><td style="text-align: right;">\$76,137.00</td><td style="text-align: right;">\$8,607.00</td><td style="text-align: right;">\$84,744.00</td></tr></tbody></table>			<u>Company</u>	<u>Bid</u>	<u>Alternate Bid</u>	<u>Total</u>	Aksarben Roofing	\$53,000.00	\$4,400.00	\$57,400.00	Riverside Construction	\$56,300.00	\$3,000.00	\$59,300.00	McKinnis Roofing	\$56,613.00	\$4,723.00	\$61,336.00	Boone Brothers	\$59,800.00	\$2,900.00	\$62,700.00	Ida Grove Roofing	\$61,000.00	\$4,600.00	\$65,600.00	Scott Enterprises	\$76,137.00	\$8,607.00	\$84,744.00
<u>Company</u>	<u>Bid</u>	<u>Alternate Bid</u>	<u>Total</u>																											
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Ida Grove Roofing	\$61,000.00	\$4,600.00	\$65,600.00																											
Scott Enterprises	\$76,137.00	\$8,607.00	\$84,744.00																											
This project is being funded from Hotel/Motel monies, programmed for the Union Pacific Railroad Museum.																														
<b>Recommendation</b>																														
Recommendation that the City Council adopt the resolution awarding Aksarben Roofing the contract for the Union Pacific Railroad Museum Roof Project in the amount of \$57,400.00.																														

\_\_\_\_\_  
Larry N. Foster

\_\_\_\_\_  
Thomas P. Hanafan

RESOLUTION NO. 10-81

RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO ENTER INTO  
AN AGREEMENT AND AWARD BID TO AKSARBEN ROOFING FOR THE UNION  
PACIFIC RAILROAD MUSEUM ROOF PROJECT.

WHEREAS, the City of Council Bluffs desires to replace the roof on the Union Pacific Railroad Museum; and

WHEREAS, on February 8, 2010, Council approved the plans, specifications and form of contract for the Union Pacific Railroad Museum Roof Project; and

WHEREAS, on February 23, 2010, bids were received; and

WHEREAS, Aksarben Roofing has submitted a low bid in the total amount of \$57,400.00; and

WHEREAS, the City Council deems approval of said agreement to be in the best interest of the City of Council Bluffs.

NOW, THEREFORE BE IT RESOLVED  
BY THE CITY COUNCIL  
OF THE  
CITY OF COUNCIL BLUFFS, IOWA

That the Mayor and City Clerk are hereby authorized, empowered, and directed to execute a contract with Aksarben Roofing for the Union Pacific Railroad Museum Roof Project.

ADOPTED  
AND  
APPROVED      March 8, 2010

\_\_\_\_\_  
Thomas P. Hanafan      Mayor

Attest:

\_\_\_\_\_  
Marcia L. Worden      City Clerk

## COUNCIL COMMUNICATION

Department: Public Works \_\_\_\_\_  
Case/Project No.: \_\_\_\_\_  
Applicant: Matthew Cox, City Engineer

Ordinance No. \_\_\_\_\_  
Resolution No. 10-82

First Reading March 8, 2010

### SUBJECT/TITLE

Consideration of resolution authorizing the Public Works Director to apply for assistance from the Iowa Office of Energy Independence in the form of an Energy Efficiency and Conservation Block Grant for the purchase and installation of equipment and software to equip a Traffic Operations Center.

### BACKGROUND/DISCUSSION

- The Iowa Office of Energy Independence (OEI) is seeking Requests For Proposals (RFP) that will reduce the energy use of cities and counties. This RFP is based on the Energy Efficiency and Conservation Block Grant (EECBG) Program under the American Recovery and Reinvestment Act of 2009 (ARRA). This competitive grant program is intended to provide financial support for the implementation of projects that result in improved energy efficiency. The OEI has designated \$1,400,000 of the available grant funds to be used specifically for transportation programs and traffic synchronization.
- A Traffic Operations Center will be built in conjunction with the planned Public Works Operations Facility.
- A Traffic Operations Center equipped with an Advanced Traffic Management System (ATMS) will facilitate the central management, monitoring and control of the traffic signals in Council Bluffs.
- An ATMS will result in improved traffic signal timing and flow and will also aid in traffic signal maintenance.
- An ATMS will allow Traffic Engineers to view and control traffic signal operations in real time allowing timing changes to be made and their results to be viewed immediately. Automated systems will allow traffic statistics to be updated and available in real time. Traffic signal technicians will be able to diagnose and repair problems remotely.
- The cost of the ATMS is \$234,735. It is estimated that the ATMS has a benefit to cost ratio ranging from 4:1 up to 7:1 depending on assumptions for reduced delays.
- The grant can fund up to 50% of the cost of the ATMS. The local match funds will be sales tax.

### RECOMMENDATION

Approval of this resolution.

\_\_\_\_\_  
Greg Reeder, Public Works Director

Proposed Costs for Iowa Energy Efficiency and Conservation Block Grant (EECBG)			
	Intelligent Transportation Systems (ITS) Equipment and Software		
	Garrettcorn 6K25E rack-mounted Level Two Managed Ethernet Switch		4,917.00
	Treehaven RVS 10000 NVR-IP4-2-0 14TB rack-mounted Video Server with 32 Camera IP license		16,796.00
	Installation configuration and testing of 3 Virtual PC workstations. Work done by Traffic Systems & Solutions Co.		1,500.00
	One HP or similar Work Station with 4 monitor outputs for use with Treehaven video server. Includes two 22" monitors.		4,380.00
	ACTRA Server -Dell PowerEdge R710		11,892.00
	Advanced Traffic Management System -- Siemens ACTRA. To be installed by Traffic Systems & Solutions Co.		120,000.00
	Install conduit and Single Mode fiber to Traffic Operations Center installed by Bluffs Electric		62,050.00
	Fiber Splice cabinet installed by Bluffs Electric		7,500.00
	Garrettcorn 6K32 Fiber Managed Ethernet Switch for Fiber Splice		3,200.00
	Battery Back Up System for Field Ethernet Switch		2,500.00
	<b>Total</b>		<b>\$ 234,735.00</b>

The implementation of the Council Bluffs Advance Traffic Management System (CBATMS) and the associated signal timing optimization exercises will achieve significant savings in the form of reduced fuel consumption and reduce emissions. Calculations to estimate these savings, using generalized percent reductions in vehicle delay and stops, resulting from the implementation of the CBATMS were performed by Mark Lutjeharms, P.E., PTOE (Schemmer).

Council Bluff's traffic signal system was grouped into four categories as summarized in the following table.

**Table 1: Existing Traffic Signal System**

Category	Corridors	No. of Signalized Intersections
Currently Connected & Coordinated	Nebraska Ave/23rd Ave Willow Ave/5th Ave 16 <sup>th</sup> St Kanesville Blvd Langdon South S. Expressway W. Broadway	43
Connected, But Need Timing Plans Developed	Broadway Downtown Hwy 6 24 <sup>th</sup> St Hwy 92	25
Future Connection Planned	Madison Ave/Mall/Bennett Ave	9
Isolated Intersections	Not Applicable	8

For each of the above corridors, current (2008) daily traffic volumes were obtained from the Metropolitan Area Planning Agency's (MAPA) website. These daily volumes are summarized in Table 2.

**Table 2: Existing Daily Traffic Volumes**

Corridor	Daily Traffic Volume (ADT)
Nebraska Ave/23rd Ave	12,000
Willow Ave/5th Ave	6,000
16 <sup>th</sup> St	8,000
Kanesville Blvd	22,000
Langdon South	8,000
S. Expressway	22,000
W. Broadway	22,000
Broadway Downtown	12,000



Hwy 6	9,500
24 <sup>th</sup> St	12,000
Hwy 92	9,000
Madison Ave/Mall/Bennett Ave	10,000
Isolated Intersections	12.725 <sup>1</sup>

<sup>1</sup> Whereas all other volumes reported in Table 2 are the daily volumes along the given corridor, this value represents the average volume (all approaches) of the intersections included in this category.

Total energy savings were computed in the forms of both fuel savings and emission reductions. These savings were calculated using the following assumptions:

- 75% of ADT occurs between 7:00 a.m. and 6:00 p.m. (peak time period)
- 25 % of ADT occurs between 6:00 p.m. and 7:00 a.m. (off-peak time period)
- Average existing vehicle delay per intersection
  - 20 seconds (peak time period)
  - 10 seconds (off-peak time period)
- Existing number of stops per intersection along a given corridor
  - 0.5 stops (peak time period)
  - 0.3 stops (off-peak time period)
- Existing average corridor speed = 18 mph
- Energy costs
  - Fuel: \$2.50/gal
  - Carbon Monoxide (CO): \$0.00/ton
  - Nitrogen Oxide (NOx): \$4,000/ton
  - Volatile Organic Compounds (VOC): \$1,700/ton
  - Carbon Dioxide (CO2): \$33/metric ton

Using the above assumptions, annual fuel savings and emissions reductions were computed for two scenarios. The first scenario assumed a 10% reduction in vehicle delay and number of stops as a result of implementing an ATMS. The second scenario assumed a 15% reduction in delay and stops. These estimates of percent reduction in delay and stops were based off of research documented from other similar studies across the United States. It should be noted that research of other similar studies concluded that these reduction percentages reached as high as 79% (delay) and 62% (stops). The resulting annual savings are summarized in Table 3. The estimated benefits over the life of the project (assumed 10 years; 7% interest rate) are also displayed in Table 3.

**Table 3: ATMS Savings**

Category	10% Reduction Vehicle Delay & Stops	15% Reduction Vehicle Delay & Stops
Consumed Fuel Savings	\$201,167	\$374,377
Emissions Reductions	\$30,736	\$57,200
<b>Total (Annual)</b>	<b>\$231,903</b>	<b>431,577</b>
<b>Total (10-year)<sup>1</sup></b>	<b>\$1,628,787</b>	<b>\$3,031,217</b>

#### **Cost of Implementation, Operations & Maintenance**

The costs associated with implementing, operating and maintaining the proposed ATMS in the City of Council Bluffs is summarized below.

**Table 4: ATMS Costs**

<b>Item (Frequency)</b>	<b>Cost</b>
Equipment and Software (initial)	\$234,735
Operations & Maintenance (annual)	\$10,000
Engineering - Signal Timing Optimization (Once every 4-5 years)	\$42,500
Miscellaneous / Administrative Expenses (annual)	\$2,500
<b>Present Value</b>	<b>\$407,530</b>

Using the results presented previously in this summary, the implementation of an Advanced Traffic Management System in Council Bluffs, IA has the potential of achieved a benefit-to-cost ratio ranging from 4.0:1 to 7.4:1, or higher, if the percent reductions in delay and stops are greater than 15%.



### Application

3001 - Energy Efficiency and Conservation Block Grant  
 3348 - Council Bluffs ATMS Installation  
 American Recovery & Reinvestment Act

Status: Editing Submitted Date:

### Applicant Information

<b>Project Officer</b>				<b>Organization Information</b>			
First Name*	Mark	Robert	Franz	Organization Name:	City of Council Bluffs, Iowa		
	First Name	Middle Name	Last Name	Organization Type:	City Government		
Title:	Traffic Division Superintendent			Tax ID:	42-8004428		
Email:	mfranz@councilbluffs-ia.gov			DUNS:	05-195-5433		
Address:	1901 2nd Ave			Organization Website:	209 Pearl St		
City*	Council Bluffs	Iowa	51501				
	City	State/Province	Postal Code/Zip				
Phone:*	712-328-4645			City	Council Bluffs	Iowa	51503
	Phone		Ext.	City		State/Province	Postal Code/Zip
Program Area of Interest	American Recovery & Reinvestment Act			Phone:	712-328-4634		
Fax:	712-328-4907			Fax:	712-322-3418		
							Ext.

### EECBG Applicant Information

Legal Name of Entity:  
 (example for City: City of  
 Iowa City, example for  
 County: Polk County)

Pre-fix or Title of Applicant: Mr.

First Name of Lead Applicant: City of Council Bluffs

Last Name of Lead Applicant: Iowa

Duns Number (example)XX-XXXXXX: 05-1955433

Authorized Representative - Name and Title: Greg Reeder, Public Works Director

Applicant's Mailing Street Address 1: Public Works Office

Applicant's Street Address 2: 209 Pearl Street

Applicant's City: Council Bluffs

Applicant's State: Iowa

Applicant's ZipCode: 51503

County: Pottawattamie County

State Tax ID (example XX-XXXXXX): 42-8004428

Federal Tax ID (example XX-

XXXXXXQ: 42-6004428  
Applicant's Phone Number: 712-328-4634  
Applicant's Fax Number: 712-322-3418  
E-mail Address: greeder@councilbluffs-ia.gov

**EECBG Additional Applicant Information**

*If more than two entities are applying, please complete a separate entry for each applicant. Attach additional sheets, if necessary.*

Name of Additional Applicant Representative:  
Authorized Representative Name and Title:  
Authorized Representative Mailing Address (Include City, State and Zip):  
Authorized Representative's County:  
Authorized Representative's State Tax ID:  
Authorized Representative's Federal Tax ID:  
Authorized Representative's Phone Number:  
Authorized Representative's Fax Number:  
Authorized Representative's E-Mail Address:

**EECBG Preparer/Staff Contact Information**

Name and Title of Preparer:	Mark Franz
Municipality, County, or Company of Preparer:	Council Bluffs
Complete Address of Preparer (INCLUDE CITY, STATE AND ZIPCODE):	1901 2nd Ave, Council Bluffs, IA, 51501
Phone Number of Preparer:	712-328-4645
Fax Number of Preparer:	712-328-4907
E-Mail Address of Preparer:	mfranz@councilbluffs-ia.gov

**Lead Applicant's Chief Executive Officer**

If Applicant is County, who is the County Supervisor?  
If Applicant is City, who is the Mayor of the city?  
If Applicant is a Company, who is the Chief Executive Officer

Thomas Hanafan

**Certification**

Signature Greg Reeder  
Date: 02/26/2010

**EECBG Categorical Area to be Addressed by Project**

Categorical Area to be Addressed by Project (3) Transportation Programs

**Budget Detail**

Budget Detail	EECBG Requested (\$)	Other Funding Sources (\$)	Total Project Budget
Salaries and Benefits	\$0.00	\$0.00	\$0.00
Administrative Costs (limited to 10% of the total project cost)	\$0.00	\$0.00	\$0.00
Professional Services	\$750.00	\$750.00	\$1,500.00
Energy Use Surveys and Tracking	\$0.00	\$0.00	\$0.00
Material Cost	\$0.00	\$0.00	\$0.00
Equipment Cost	\$116,617.50	\$116,617.50	\$233,235.00
Cost of Engineering Analysis (if applicable)	\$0.00	\$0.00	\$0.00
Other Costs 1(Please list separately)	\$0.00	\$0.00	\$0.00
Other Costs 2	\$0.00	\$0.00	\$0.00
Other Costs 3	\$0.00	\$0.00	\$0.00
<b>Totals:</b>	<b>\$117,367.50</b>	<b>\$117,367.50</b>	<b>\$234,735.00</b>

**Project Budget Factors**

This project budget factors in the cost of compliance with the Davis-Bacon Act, National Environmental Policy Act, National Historic Preservation Act, and the Buy American Act. Yes

**EECBG Budget Attachments**

Description	File Name
Detailed list of costs.	EECBG Cost.pdf

**EECBG-Sources of Other Funds**

Source and Type of Funds	(\$ Amount	Date Funds Will Be Secured	Cash or In-Kind
Local Funds	\$117,367.50	03/08/2010	Cash
	\$117,367.50		

**Explanation of Other Funding Sources**

Briefly explain any other funding sources, whether funds are sufficient to complete the project, and your determination as to whether the project will be cost-effective. Please attach support letters from all sources of leverage. Applicants must consider whether their projects are eligible for a local utility rebate and note this in the narrative.

Other Funding Source is the City of Council Bluffs Sales Tax Revenue funds.

The project will be cost-effective, with a benefit to cost ratio from 4.0 to 7.4.

This project is not eligible for a local utility rebate.

**EECBG Project Information**

Project Name: Council Bluffs ATMS Installation

Project Site Address(Site of Physical Address Where Project is Taking Place: 1027 10th Avenue

Project Site City, State and Zip: Council Bluffs, IA 51501

Age of Building: new

Is the Building Location in a Historic District? No

Does your project disturb ground? No

Place of Performance (City and County associated with the city): If multiple places, please list all cities and counties.

Place of Performance (if applicable): Council Bluffs, Pottawattamie County

**Summary of Projects**

Project Title & Detailed Description	Electricity Savings (kWh)	Electric Demand Reduction (kW)	Natural Gas Savings (Therms)	Other Fuel Savings (units)	Annual Cost Savings (\$/Yr)	Net Estimated Cost (\$)	Simple Payback (Yrs)	Useful Life (Yrs)
Council Bluffs ATMS Installation	0.0	0.0	0.0	80467.0	\$231,903.00	\$234,735.00	1	10
	0.00	0.00	0.00	80,467.00	\$231,903.00	\$234,735.00	1	10

**Narrative Information Regarding Energy Savings**

If you would like to add narrative information regarding energy savings, please do so here:

The total estimated annual savings of \$231,903 includes \$201,167 in fuel (gasoline) savings and \$30,736 in emissions reductions.

**Tasks and Performance Measures**

Task	Start Date	Completion Date	Performance Measures	Acceptance Criteria	Expected Payment
Select Contractor for Fiber Splice Cabinet Installation, Fiber Optic Cable and Conduit Extension	06/01/2010	06/30/2010	Publicly bid the equipment and installation.	Price, Experience and qualifications of contractor.	\$0.00
Construction of Fiber Optic Splice Cabinet, Conduit, and Fiber Optic Cable	07/01/2010	09/30/2010	Construction completed.	Equipment installed and operable. Fiber Optic test reports.	\$72,050.00
Traffic Operation Center Design	03/15/2010	04/13/2010	Complete final plans.	Design must be capable of planned function and performance.	\$0.00
Purchase equipment for Traffic Operations Center	02/01/2011	05/02/2011	Purchase order issued. Equipment delivered.	Equipment must be compatible with existing Traffic Signal network.	\$41,185.00
Configure Hardware and Install Advanced Traffic Management System Software	05/16/2011	08/15/2011	Purchase order issued. Installation completed.	All system functions operable. Documentation supplied and training completed.	\$121,500.00
Migrate Traffic Signal Control from Existing Closed-Loop Systems to ATMS	08/15/2011	09/02/2011	All traffic signals connected.	All traffic signal systems and network functional.	\$0.00
Final Report	09/02/2011	10/03/2011	All network and traffic signal systems functional.	All required documentation submitted.	\$0.00

**EECBG Scope of Work**

Estimated Project Start Date: 03/15/2010

Calendar date selected CANNOT go past the PROJECT END DATE of SEPTEMBER 1, 2012.

Estimated Project Completion Date: 10/03/2011

Project Narrative/Scope of Work: Description must answer: WHO  
The City of Council Bluffs, Iowa.

Project Narrative/Scope of Work: Description must answer: WHAT  
Install an Advanced Traffic Management System.

Project Narrative/Scope of Work: Description must answer: WHEN  
Some work will begin almost immediately. The majority of the work will be completed after the new Traffic Operations Center is completed in May of 2011.

Project Narrative/Scope of Work: Description must answer: WHERE  
The Traffic Operations Center will be part of the new Public Works Facility at 1027 10th Avenue in Council Bluffs.

Project Narrative/Scope of Work: Description must answer: WHY  
Advanced Traffic Management Systems allow centralized management, control and monitoring of traffic signals. This will result in improved traffic signal timing and flow and will also facilitate traffic signal maintenance.

Project Narrative/Scope of Work: Description must answer: HOW

Describe the Projects Goals and Objectives: Traffic Engineers will be able to view and control traffic signal operations in real time allowing timing changes to be made and their results to be viewed immediately. Automated systems will allow traffic statistics to be updated and available in real time. Traffic signal technicians will be able to diagnose and repair problems remotely.

Explain your status in obtaining necessary licenses and permits Describe the Expected Project Benefits to the Community

Improve traffic flow at signalized intersections in Council Bluffs. Reduce delay and stops at signalized intersections by at least 10%. Reduce traffic signal malfunctions and the cost of maintenance.

Permits to install the conduit will be issued by the City of Council Bluffs. No other licenses and permits will be required.

Improved traffic flow in Council Bluffs will reduce wasted time, fuel use, and pollution emissions. Traffic signal malfunctions will be detected and repaired more quickly.

**Job Impact**

Row	Total Hours	Effective Date	Duration in Months
Jobs Created			
Jobs Retained			

**Narrative Information Regarding Jobs Created or Retained**

If you would like to add narrative information regarding jobs created or retained, please do so here:

**EECBG Readiness**

If you choose "No", please explain why and whether there are plans for that item to be completed

All necessary funds other than EECBG resources have been secured No

Explanation (if necessary): Because the application deadline is before the City Council meeting in March, approval of the authorization to file the application for assistance will be delayed. The funds, however, have been identified and are available. The City Council will meet on March 8, 2010.

Plans and specifications are completed and documentation is attached Yes

Explanation (if necessary):

Energy assessment or audit is completed and documentation is attached Yes

Explanation (if necessary):

Staffing and/or Contractors are in Place Yes

Explanation (if necessary):

**EECBG Comprehensiveness**

Briefly describe how this project encompasses a comprehensive approach to energy improvements. You may include past energy projects completed by your entity as well as current energy plans.

Comprehensiveness The City of Council Bluffs is dedicated to energy efficiency. All of the traffic signal displays in the City, except the yellow faces, have been converted to LED. The new Public Works facility and Traffic Operations Center will employ several energy saving features including geothermal climate control, LED lighting and zone controlled lighting.



**EECBG Replicability and Visibility**

*Briefly describe how this project would be easily replicable and visible for other communities and/or how this project would provide a significant example for the public and/or private sectors*

**Replicability and Visibility** This project has been done before, in other Iowa cities, notably West Des Moines, and Dubuque. This project in conjunction with the building of the new Traffic Operations Center in Council Bluffs will be a showcase for modern traffic management.

**EECBG Administrative Capability**

*Briefly describe why your city or county has the ability or will have the ability to provide all of the required oversight, reporting, and accounting for timely and accurate reporting. Specifically address how you will meet weekly, monthly, and quarterly state and federal reporting requirements. Additionally, address how your office will comply with the following federal laws affecting the Iowa EECBG funds: National Environmental Policy Act (NEPA), National Historic Preservation Act, Davis-Bacon Act, and Buy American Act. Please attach resumes or other biographical information for project managers.*

**Administrative Capability** The City of Council Bluffs has a full time Public Works Engineer, and two full time Associate Engineers, all of whom have experience with State and Federal reporting requirements. The City Traffic Superintendent, with the assistance of the Engineering staff, will complete all required reports.

This project should be excluded from NEPA requirements based on it's categorization as a traffic signal synchronization project.

This project will have no effect on any existing buildings and should require no consultation to comply with the National Historic Preservation Act.

This project will have only one contractor subject to the Davis-Bacon act. The City will request compliance with the Davis-Bacon act as part of the bid process.

The City will request that it's equipment supplier provide only manufactured goods produced in the United States unless those goods are insufficiently available or would increase the overall project cost by more than 25 percent.

The project manager will be Mark Franz, the City of Council Bluffs Traffic Superintendent. Mr. Franz has been employed by the City of Council Bluffs for 13 years, and has been the Traffic Superintendent for 4 years.

**EECBG Administrative Capability Attachments**

Description	File Name
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**Partner Information**

Name of Partners	Population	Proposed Allocation
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**Partnership Structure and Responsibilities**

*Every project partner listed in the application must provide a signed letter stating that the partner understands the program guidelines of Iowa EECBG, and that it designates the Lead Applicant as its representative for purposes of the application.*

**Briefly describe the partnership structure for this project and the responsibilities of each partner:**

**EECBG Waste Stream**

*Prior to the expenditure of Federal funds to dispose of sanitary or hazardous waste, O&E is required to provide documentation to U.S. Department of Energy demonstrating that an adequate disposal plan has been prepared for sanitary or hazardous waste generated by the proposed activities. Applicants are therefore required to submit information on the expected waste stream of the*

proposed project. Sanitary or hazardous waste includes, but is not limited to, old light bulbs, lead ballasts, piping, roofing material, discarded equipment, debris, asbestos, etc. Applicants should: • Indicate if the proposed project will generate a waste stream. • Describe the identified waste stream, if applicable. • Describe the proposed methodology for waste handling and disposal. For example, how would mercury or sodium vapor lamps be disposed of? How will potentially hazardous material (e.g. asbestos containing materials, PBC's, etc.) be handled and disposed of?

Waste Stream The proposed project will not generate a waste stream.

### EECBG National Historic Preservation Act

Exhibit C - National Historic Preservation Act (REQUIRED SHPO REVIEW)

I have completed Exhibit C and will be included as an attachment.

Yes

### Exhibit D

### EECBG Proposed Project Site EXHIBIT C

Project Title Council Bluffs ATMS Installation  
Project Applicant City of Council Bluffs

### Preparer Checklist

- 1) There is a structure, object, or building on the property associated with my project. Yes
  - 2) The structure, object, or building is less than forty five (45) years of age. Yes
  - 3) The structure, object, or building is not eligible for listing on the National Register of Historic Places. Yes
  - 4) The structure, object, or building is not located within the boundaries of a National Register of Historic Places eligible or listed Historic District. Yes
- If all four boxes are checked above, please fill out Appendix C (Attachment D): Exempt from SHPO Review, Project Determination Form and stop with the checklist. If not applicable, please proceed below. NOTE: Attachment D is included as part of the RFP Application. Please see attachments on the Funding Opportunities Main Page under section Attachments.*
- 5) The structure, object, or building is forty five (45) years of age or older.
  - 6) I have contacted the Iowa Site Inventory Coordinator at SHPO and the object, structure, or building is not eligible for listing on the National Register of Historic Places.
  - 7) The structure, object, or building is not an eligible or listed National Register of historic Places Historic District.
  - 8) All the items included in my scope of work for this project fall either under Category A or Category B of Appendix A. There are no work items that fall outside of either of these two categories.
- If all four boxes from 5-8 are checked above, please fill out Appendix C: Exempt from SHPO Review, Project Determination Form. Please attach the Iowa Site Inventory search results to this document and stop with checklist. If not applicable please proceed below.*
- 9) The structure, object, or building is forty (45) years of age or older.
  - 10) I have contacted the Iowa Site Inventory Coordinator at SHPO and the structure, object or building is eligible for listing on the National Register of Historic Places, or is located within the boundaries of an eligible historic district.
  - 11) All the items included in my scope of work for this project fall either under Category A or Category B of Appendix A. There are no work items that fall outside of either of these two categories.
- If all three boxes from 9-11 are checked above, please fill out Appendix C: Exempt from SHPO Review, Project Determination Form. Please attach the Iowa Site Inventory search results to this document and stop with checklist. If not applicable please proceed below.*
- 12) The structure, object, or building is forty five (45) years of age or older.
  - 13) I have contacted the Iowa Site Inventory Coordinator at SHPO and the structure, object or building has not been previously evaluated or surveyed.
  - 14) All the items included in my scope of work for this project fall either under Category A or Category B of Appendix A. There are no work items that fall outside of either of these two categories.
- If all three boxes from 12-14 are checked above, please fill out Appendix C: Exempt from SHPO Review, Project Determination Form. Please attach the Iowa Site Inventory search results to this document and stop with the checklist. If not applicable please proceed below.*
- 15) The structure, object, or building is forty five (45) years of age or older or is eligible for listing on the National Register of Historic Places or is located within an eligible Historic District.
  - 16) I have contacted the Iowa Site Inventory Coordinator at SHPO.
  - 17) A work item included within my scope of work falls under Category C of Appendix A or is not listed under Category A or B of Appendix A.
- If all three boxes from 15-17 are checked above, please fill out the Request for SHPO Comment Form. Be sure to fill out Section I completely. Fill out section II under the architecture check box, and provide all information requested under that box, along with stopping with the checklist. If not applicable please proceed below.*

18) The structure, object, or building is forty five (45) years of age or older.

19) I have contacted the Iowa Site Inventory Coordinator at SHPO and the structure, object or building has not been previously evaluated or surveyed.

20) A work item included within my scope of work falls under Category C of Appendix A or is not listed under Category A or B of Appendix A.

*If all three boxes from 18-20 are checked above, please fill out the Request for SHPO Comment Form. Be sure to fill out Section I completely. Fill out section II under the architecture check box, and provide all information requested under that box, then stopping with the checklist. If not applicable please proceed below.*

21) My scope of work includes ground disturbance.

22) I also have a structure, object or building is less than forty five years of age and is not eligible for listing on the National Register of Historic Places or located within an eligible historic district.

*If boxes 21 & 22 are checked above, please fill out the Request for SHPO Comment Form. Be sure to fill out Section I completely. Fill out section II under the archeology check box, and provide all information requested under that box, then stopping with the checklist. If not applicable please proceed below.*

My scope of work includes ground disturbance.

24) I also have an object, structure or building that is either forty five years of age or older, eligible for listing on the National Register of Historic Places, or located within an eligible historic district.

*If boxes 23 & 24 are checked above, please fill out the Request for SHPO Comment Form. Be sure to fill out Section I completely. Fill out section II under the archeology and architecture check boxes, and provide all information requested under that box, then stopping with the checklist. If not applicable please proceed below.*

*For Additional Guidance Please Contact: Jeremy Ammerman, Architectural Historian for Disaster Recovery Efforts Phone: 515-281-4129 Email: Jeremy.ammerman@iowa.gov*

### National Environmental Protection Act

*By checking this box, the applicant certifies that its proposed project is categorically excluded from NEPA because it falls within the following categories described in III of the RFP and does not involve "extraordinary circumstances" within the meaning of 10 C.F.R. Section 1021.410. If the proposed project falls outside of the NEPA CX thresholds or involves "extraordinary circumstances" within the meaning of 10 C.F.R. Section 1021.410, the applicant must attach additional information as to how it will obtain NEPA clearance and a timeline for such clearance. The Department of Energy specifically notes that the NEPA process could delay the award process and that applicants may be restricted to use of funds for planning purposes only until the NEPA process is complete.*

I certify that this proposed project is categorically excluded from NEPA

Yes

### EECBG National Environmental Protection Act Attachments

Description

File Name

### EECBG Other

*If there are other relevant details about the proposed project or applicant that have not been expressed elsewhere in the application, please enter them here.*

Other

**EECBG Attachments**

Description  
Energy Savings Analysis for Council Bluffs ATMS Installation project.

File Name  
EECBG Analysis.pdf

**Minority Impact Statement****Question # 1**

1. The proposed grant programs or policies could have a disproportionate or unique **POSITIVE IMPACT** on minority persons. No

If YES, describe the positive impact expected from this project

Indicate the group(s) positively impacted.

**Question # 2**

2. The proposed grant project programs or policies could have a disproportionate or unique **NEGATIVE IMPACT** on minority persons. No

If YES, describe the negative impact expected from this project.

If YES, present the rationale for the existence of the proposed program or policy.

If YES, provide evidence of consultation with representatives of the minority groups impacted.

Indicate the group(s) negatively impacted.

**Question # 3**

3. The proposed grant project programs or policies are **NOT EXPECTED TO HAVE A DISPROPORTIONATE OR UNIQUE IMPACT** on minority persons. Yes

If YES, present the rationale for determining no impact. The project impacts vehicular traffic which effects all drivers equally.

**Certification**

I hereby certify that the information on this form is complete and accurate, to the best of my knowledge. Yes

Name of Person Submitting Certification. Mark Franz

Title of Person Submitting Certification Traffic Superintendent

**Cover Sheet****Authorized Official**

Name

Title

Organization

Address

City/State/Zip\*

Greg Reeder  
Public Works Director  
City of Council Bluffs  
209 Pearl Street

Council BluffsIowa51503  
City State Zip

Telephone Number	712-328-4634
E-Mail	greeder@councilbluffs-ia.gov
<b>Fiscal Officer</b>	
Name	Art Hill
Title	Finance Director
Organization	City of Council Bluffs
Address	209 Pearl Street
City/State/Zip	Council BluffsIowa51503
Telephone Number	712-328-4685
E-Mail	ahill@councilbluffs-ia.gov
County(ies) Participating, Involved, or Affected by this Proposal	Pottawattamie County
Congressional District(s) Involved or Affected by this Proposal	5 - Steve King
Iowa Senate District(s) Involved or Affected by this Proposal	50
Iowa House District(s) Involved or Affected by this Proposal	99

**RESOLUTION**

**NO 10-82**

**RESOLUTION AUTHORIZING THE PUBLIC WORKS  
DIRECTOR TO APPLY FOR ASSISTANCE  
FROM THE IOWA OFFICE OF  
ENERGY INDEPENDENCE IN THE  
FORM OF AN ENERGY EFFICIENCY & CONSERVATION  
BLOCK GRANT**

- WHEREAS, The Iowa Office of Energy Independence (OEI) is seeking Requests for Proposals (RFP) that will reduce the energy use of cities and counties, and
- WHEREAS, This RFP is based on the Energy Efficiency and Conservation Block Grant (EECBG) Program under the American Recovery and Reinvestment Act of 2009 (ARRA); and
- WHEREAS, This competitive grant program is intended to provide financial support for the implementation of projects that result in improved energy efficiency.
- WHEREAS, The City of Council Bluffs proposes the implementation of an Automated Traffic Management System (ATMS) to improve traffic signal timing and flow to reduce energy consumption.

**NOW, THEREFORE, BE IT RESOLVED  
BY THE CITY COUNCIL  
OF THE  
CITY OF COUNCIL BLUFFS, IOWA**

That the Public Works Director is hereby authorized and directed to apply for assistance from the Iowa Office of Energy Independence in the form of an energy efficiency and conservation block grant for an ATMS.

**ADOPTED  
AND  
APPROVED**

March 8, 2010

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Thomas P. Hanafan, Mayor

ATTEST:

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Marcia L. Worden, City Clerk

## Council Communication

Department: Legal  Case/Project No.  Applicant: Richard Wade, City Attorney	Resolution No. <u>10-83</u>	Council Action: <u>3/8/2010</u>
<b>SUBJECT/TITLE</b>		
A Resolution adopting a 2010/2011 through 2013/14 capital improvement plan for the Mid-America Center.		
<b>BACKGROUND</b>		
The Mid-America Center is in need of some capital improvements after being in existence nearly 8 years. The attached capital improvement plan has been recommended by the Council Bluffs Arena and Convention Center Commission except as otherwise indicated therein with the ** markings. The three page capital improvement plan has been identified using Priority A, Priority B and Priority C.		
<b>RECOMMENDATION</b>		
It is recommended that the City Council approves this resolution.		

Richard Wade

\_\_\_\_\_  
Department Head Signature

\_\_\_\_\_  
Mayor Signature

**EXHIBIT A**  
**Page 1 – Priority A**

**PRIORITY A**

Parking Lot Repairs	Concrete	Asphalt	TOTAL:	\$1,492,779.04
Lot D	\$784,716.60	\$239,722.80	Phase 1:	\$338,613.90
Lot C	\$804,821.57	\$254,094.70	Phase 2:	\$422,297.90
Lot B	\$754,350.27	\$230,165.62	Phase 3:	\$230,165.62
Lot A	\$1,384,994.70	\$425,199.62	Phase 4:	\$425,199.62
TOTAL:	\$0.00	\$0.00	TOTAL:	\$1,416,277.04
Plaza Drive:	\$98,891.10			
Service Road & Docks:	\$168,203.20			
(After 5 Years)	Seal Coat	Striping		
Lot A	\$19,570.00	\$1,828.00		
Lot B	\$13,819.00	\$1,774.00		
Lot C	\$19,413.00	\$2,200.00		
Lot D	\$15,615.00	\$2,283.00		
TOTAL:	\$68,417.00	\$8,085.00		
Audio Upgrades			TOTAL:	\$315,000.00
Install speakers in premium levels				
Enhance existing arena speakers				
Install soundproofing materials				
Install exterior PA				
Install Box Office Intercom System				
Marquee			TOTAL:	\$676,000.00
Electrical			TOTAL:	\$61,000.00
Upgrade power in convention center prefunction				
Install access doors to service power in ballrooms				
Core drill service hall walls to service power				
Install shore power				
Install additional shore power in arena				
Mechanical			TOTAL:	\$21,500.00
Upgrade HVAC automations hardware				
Upgrade HVAC automations software				
Arena Seating			TOTAL:	\$14,400.00
Rehabilitate retractable seating				
Separate retractable sections 202 & 203				
Equipment			TOTAL:	\$53,337.20
Tables of varying size				
Convention and arena chairs				
A-frame staging and dance floor				
Pipe & drape				
Table skirts and linens				
Door Repairs & Maintenance			TOTAL:	\$22,000.00
Install magnetic hold open equipment				
Wire hold open equipment for Fire Panel				
Refurbish fire rated doors closures and trim				
			TOTAL:	\$2,656,016.24



**EXHIBIT A**  
**Page 2 – Priority B**

**PRIORITY B**

Delphi Software	TOTAL:	\$37,581.50
Arena Ribbon Board	TOTAL:	\$500,000.00
Video Production	TOTAL:	\$225,000.00
Update arena video board		
Video Cameras		
Replay and Graphics Hardware		
Replay and Graphics Software		
Renovation & Flooring	TOTAL:	\$550,000.00
Replace wall covering in Convention Center		
Replace wall covering in Premium Levels		
Replace carpeting in Convention Center		
Replace carpeting in Premium Levels		
Equipment	TOTAL:	\$95,000.00
Refurbish individual suites		
Refurbish Club level furniture		
Refurbish Concourse and Premium Level monitors		
Install additional backlit sign locations		
Elevators	TOTAL:	\$16,000.00
Rehabilitate interior of patron elevator cabs		
Lighting	TOTAL:	\$127,000.00
Retro-fit existing lighting and control boards with energy saving and easily serviceable fixtures & lamps		
Upgrade Exhibit Hall lighting for dimming capability		
Install additional touch screen lighting panel		
Update lighting control software		
Security**	TOTAL:	\$40,924.38
Additional security cameras in seven building locations		
Additional crowd control barrier		
Portable security hut		
	TOTAL:	\$1,591,505.88

**EXHIBIT A**  
**Page 3 – Priority C**

<b>PRIORITY C</b>			
Equipment		TOTAL:	\$12,000.00
	Purchase small man lift		
Construction & Renovation		TOTAL:	\$80,000.00
	Re-engineer spotlight platforms		
Exterior Signage		TOTAL:	\$215,000.00
	Construct exterior parking lot displays		
	Construct exterior public entry signage		
	Install monument signage		
	Install Box Office & Loading Dock signage		
	Construct interstate signage		
Interior Signage		TOTAL:	\$80,000.00
	Install interior directional kiosks		
	Replace convention sign holders with LED displays		
	Install Box Office informational reader displays		
Construction & Renovation		TOTAL:	\$200,000.00
	Install Green Roof		
	Install Water Reclamation System		
Catering & Concessions		TOTAL:	\$168,520.00
	Construct permanent concession/merch stand, event level		
	Purchase smallware and cutlery		
	Install 3-well sinks and purchase additional ice maker		
	Purchase updated beer portable stands		
	Point of Sale System**		
Construction & Renovation		TOTAL:	\$844,351.00
	Acquire land near Mid-American power station		
	Construct exterior maintenance and storage facility		
Renovation		TOTAL:	\$19,634.35
	Grind, densify, buff and polish concrete in North Entry, South Entry & Event Level. Spaul patch and skim coat.		
Security		TOTAL:	\$23,100.00
	Erect permanent barricade/bollards for public entries, Plaza Drive & Service Road		
Equipment		TOTAL:	\$59,263.35
	Exhibit Hall "Club" Curtain System		
	Radio & Communications**		
Information Technology**		TOTAL:	\$60,097.00
	Run fiber optic cabling to building		
	Update building internet switches		
	Update video cabling		
	Enhance internet wireless capabilities		
		TOTAL:	\$1,761,965.70

\*\* Items added post Arena Commission Meeting February 9, 2010.  
Adjusted totals reflected.

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PREPARED BY: City Legal Department, 209 Pearl Street, Council Bluffs, IA 51503  
RETURN TO: City Clerk, 209 Pearl Street, Council Bluffs, IA 51503

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RESOLUTION NO. 10-83

A RESOLUTION ADOPTING A 2010/2011 THROUGH 2013/2014 CAPITAL  
IMPROVEMENT PLAN FOR THE MID-AMERICA CENTER.

WHEREAS, after nearly eight (8) years of use, the Mid-America Center is in need of some capital improvements; and

WHEREAS, the Council Bluffs Arena and Convention Center Commission has reviewed the needs and is now recommending a budget and a schedule for said improvements; and

WHEREAS, it is the opinion of this City Council that these improvements need to be made; and

WHEREAS, it is the desire of the City Council that to the extent legally possible these improvements should be funded by the Tax Increment Financing District that was created to pay for the infrastructure needs of this development.

NOW, THEREFORE, BE IT RESOLVED

BY THE CITY COUNCIL

OF THE

CITY OF COUNCIL BLUFFS, IOWA

That the program as proposed is approved; and

BE IT FURTHER RESOLVED

That the Tax Increment Financing District, to the extent legally possible, shall be utilized to pay for the capital improvements in this 2010/2011 through 2013/2014 project at the Mid-America Center.

ADOPTED  
AND  
APPROVED      March 8, 2010

\_\_\_\_\_  
Thomas P. Hanafan,      Mayor

ATTEST:

\_\_\_\_\_  
Marcia L. Worden,      City Clerk

## Council Communication

Department: Legal	Resolution No. <u>10-84</u>	Council Action: <u>3/8/2010</u>
Case/Project No.		
<b>Subject/Title</b>		
Resolution authorizing the Mayor to execute the Order Accepting the Acknowledgement/Settlement Agreement from Metro Wine, Spirits & Tobacco, Inc., 3418 West Broadway, Council Bluffs, Iowa, for a violation of the State's tobacco laws.		
<b>Background/Discussion</b>		
On or about January 14, 2010, compliance checks by the Council Bluffs Police Department resulted in a citation being issued to an employee of Metro Wine, Spirits & Tobacco, Inc. for providing tobacco to a minor. We are pursuing civil penalties against the permit holder. The civil penalty for a first violation is \$300. Metro Wine, Spirits & Tobacco, Inc. has made payment of the \$300 penalty and has submitted their Acknowledgement/Settlement Agreement. A resolution has been prepared authorizing the Mayor to execute the Order to Accept the Acknowledgement/Settlement Agreement from this business.		
<b>Recommendation</b>		
Authorize the Mayor to execute the Order Accepting the Acknowledgement/Settlement Agreement from Metro Wine, Spirits & Tobacco, Inc., 3418 West Broadway, for a first violation of the State's tobacco laws.		

Don Bauermeister, Asst. City Attorney

\_\_\_\_\_  
Department Head Signature

\_\_\_\_\_  
Mayor Signature

RESOLUTION NO. 10-84

A RESOLUTION authorizing the Mayor to execute an Order Accepting the Acknowledgement/Settlement Agreement from Metro Wine, Spirits & Tobacco, Inc. for a violation of Iowa Code Section 453A.2(1).

WHEREAS, the State of Iowa has enacted a comprehensive program aimed at reducing underage tobacco use; and

WHEREAS, compliance checks in Council Bluffs resulted in a citation being issued to an employee of Metro Wine, Spirits & Tobacco, Inc. on or about January 14, 2010; and

WHEREAS, the mandatory civil penalty has been paid, and it is in the best interest of the City to execute an Order Accepting the Acknowledgement/Settlement Agreement.

NOW, THEREFORE, BE IT RESOLVED  
BY THE CITY COUNCIL  
OF THE  
CITY OF COUNCIL BLUFFS, IOWA

That the Mayor is hereby authorized to execute the Order Accepting the Acknowledgement/Settlement Agreement from Metro Wine, Spirits & Tobacco, Inc., 3418 West Broadway, for a violation of Iowa Code Section 453A.2.

ADOPTED  
AND  
APPROVED

March 8, 2010

\_\_\_\_\_  
THOMAS P. HANAFAN Mayor

Attest:

\_\_\_\_\_  
MARCIA L. WORDEN City Clerk

BEFORE THE CITY COUNCIL  
FOR THE CITY OF COUNCIL BLUFFS, IOWA

IN RE:

Metro Wine, Spirits & Tobacco, Inc.  
3418 West Broadway  
Council Bluffs, IA 51501

**ORDER ACCEPTING  
ACKNOWLEDGEMENT/SETTLEMENT  
AGREEMENT**

ON this 8th day of March, 2010, in lieu of a public hearing on the matter, the City Council approves the attached Acknowledgement/Settlement Agreement between the above-captioned permittee and the City of Council Bluffs, Iowa.

THEREFORE, the City Council for the City of Council Bluffs, Iowa, FINDS that the above-captioned permittee has remitted to the City of Council Bluffs, Iowa, a civil penalty in the amount of three hundred dollars (\$300.00). Be advised that this sanction will count as a first violation of Iowa Code Section 453A.2(1), pursuant to Iowa Code Section 453A.22(2)(a).

IT IS THEREFORE ORDERED that the judgment in this matter is hereby satisfied.

\_\_\_\_\_  
THOMAS P. HANAFAN Mayor

Attest:

\_\_\_\_\_  
MARCIA L. WORDEN City Clerk

## Council Communication

Department: Legal	Resolution No. <u>10-85</u>	Council Action: <u>3/8/2010</u>
Case/Project No.		
<b>Subject/Title</b>		
Resolution authorizing the Mayor to execute the Order Accepting the Acknowledgement/Settlement Agreement from Rite Way Oil and Gas Co., Inc., d/b/a Speedee Mart 1512, 3624 9 <sup>th</sup> Avenue, Council Bluffs, Iowa, for a violation of the State's tobacco laws.		
<b>Background/Discussion</b>		
On or about January 14, 2010, compliance checks by the Council Bluffs Police Department resulted in a citation being issued to an employee of Speedee Mart 1512 for providing tobacco to a minor. We are pursuing civil penalties against the permit holder. The civil penalty for a first violation is \$300. Rite Way Oil and Gas Co., Inc., d/b/a Speedee Mart 1512, has made payment of the \$300 penalty and has submitted their Acknowledgement/Settlement Agreement. A resolution has been prepared authorizing the Mayor to execute the Order to Accept the Acknowledgement/Settlement Agreement from this business.		
<b>Recommendation</b>		
Authorize the Mayor to execute the Order Accepting the Acknowledgement/Settlement Agreement from Rite Way Oil and Gas Co., Inc., d/b/a Speedee Mart 1512, for a first violation of the State's tobacco laws.		

Don Bauermeister, Asst. City Attorney

\_\_\_\_\_  
Department Head Signature

\_\_\_\_\_  
Mayor Signature

RESOLUTION NO. 10-85

A RESOLUTION authorizing the Mayor to execute an Order Accepting the Acknowledgement/Settlement Agreement from Rite Way Oil and Gas Co., Inc., d/b/a Speedee Mart 1512, for a violation of Iowa Code Section 453A.2(1).

WHEREAS, the State of Iowa has enacted a comprehensive program aimed at reducing underage tobacco use; and

WHEREAS, compliance checks in Council Bluffs resulted in a citation being issued to an employee of Speedee Mart 1512, 3624 9<sup>th</sup> Avenue, on or about January 14, 2010; and

WHEREAS, the mandatory civil penalty has been paid, and it is in the best interest of the City to execute an Order Accepting the Acknowledgement/Settlement Agreement.

NOW, THEREFORE, BE IT RESOLVED  
BY THE CITY COUNCIL  
OF THE  
CITY OF COUNCIL BLUFFS, IOWA

That the Mayor is hereby authorized to execute the Order Accepting the Acknowledgement/Settlement Agreement from Rite Way Oil and Gas Co., Inc., d/b/a Speedee Mart 1512, for a violation of Iowa Code Section 453A.2.

ADOPTED  
AND  
APPROVED

March 8, 2010

\_\_\_\_\_  
THOMAS P. HANAFAN

Mayor

Attest:

\_\_\_\_\_  
MARCIA L. WORDEN

City Clerk



BEFORE THE CITY COUNCIL  
FOR THE CITY OF COUNCIL BLUFFS, IOWA

IN RE:

Rite Way Oil and Gas Co., Inc.  
d/b/a Speedee Mart 1512  
3624 9<sup>th</sup> Avenue  
Council Bluffs, IA 51501

**ORDER ACCEPTING  
ACKNOWLEDGEMENT/SETTLEMENT  
AGREEMENT**

ON this \_\_\_\_ day of \_\_\_\_\_, 2010, in lieu of a public hearing on the matter, the City Council approves the attached Acknowledgement/Settlement Agreement between the above-captioned permittee and the City of Council Bluffs, Iowa.

THEREFORE, the City Council for the City of Council Bluffs, Iowa, FINDS that the above-captioned permittee has remitted to the City of Council Bluffs, Iowa, a civil penalty in the amount of three hundred dollars (\$300.00). Be advised that this sanction will count as a first violation of Iowa Code Section 453A.2(1), pursuant to Iowa Code Section 453A.22(2)(a).

IT IS THEREFORE ORDERED that the judgment in this matter is hereby satisfied.

\_\_\_\_\_  
THOMAS P. HANAFAN Mayor

Attest:

\_\_\_\_\_  
MARCIA L. WORDEN City Clerk

## Council Communication

Department: Legal	Resolution No. <u>10-86</u>	Council Action: <u>3/8/2010</u>
Case/Project No.		
<b>Subject/Title</b>		
Resolution authorizing the Mayor to execute the Order Accepting the Acknowledgement/Settlement Agreement from Whitehead Oil Company, d/b/a U-Stop #20, 701 32 <sup>nd</sup> Avenue, Council Bluffs, Iowa, for a violation of the State's tobacco laws.		
<b>Background/Discussion</b>		
On or about November 12, 2009, compliance checks by the Council Bluffs Police Department resulted in a citation being issued to an employee of U-Stop #20 for providing tobacco to a minor. We are pursuing civil penalties against the permit holder. The civil penalty for a first violation is \$300. Whitehead Oil Company, d/b/a U-Stop #20, has made payment of the \$300 penalty and has submitted their Acknowledgement/Settlement Agreement. A resolution has been prepared authorizing the Mayor to execute the Order to Accept the Acknowledgement/Settlement Agreement from this business.		
<b>Recommendation</b>		
Authorize the Mayor to execute the Order Accepting the Acknowledgement/Settlement Agreement from Whitehead Oil Company, d/b/a U-Stop #20, 701 32 <sup>nd</sup> Avenue, for a first violation of the State's tobacco laws.		

Don Bauermeister, Asst. City Attorney

\_\_\_\_\_  
Department Head Signature

\_\_\_\_\_  
Mayor Signature

RESOLUTION NO. 10-86

A RESOLUTION authorizing the Mayor to execute an Order Accepting the Acknowledgement/Settlement Agreement from Whitehead Oil Company, d/b/a U-Stop #20, for a violation of Iowa Code Section 453A.2(1).

WHEREAS, the State of Iowa has enacted a comprehensive program aimed at reducing underage tobacco use; and

WHEREAS, compliance checks in Council Bluffs resulted in a citation being issued to an employee of U-Stop #20, 701 32<sup>nd</sup> Avenue, on or about November 12, 2009; and

WHEREAS, the mandatory civil penalty has been paid, and it is in the best interest of the City to execute an Order Accepting the Acknowledgement/Settlement Agreement.

NOW, THEREFORE, BE IT RESOLVED  
BY THE CITY COUNCIL  
OF THE  
CITY OF COUNCIL BLUFFS, IOWA

That the Mayor is hereby authorized to execute the Order Accepting the Acknowledgement/Settlement Agreement from Whitehead Oil Company, d/b/a U-Stop #20, 701 32<sup>nd</sup> Avenue, for a violation of Iowa Code Section 453A.2.

ADOPTED  
AND  
APPROVED

March 8, 2010

\_\_\_\_\_  
THOMAS P. HANAFAN

Mayor

Attest:

\_\_\_\_\_  
MARCIA L. WORDEN

City Clerk

BEFORE THE CITY COUNCIL  
FOR THE CITY OF COUNCIL BLUFFS, IOWA

IN RE:

Whitehead Oil Company  
d/b/a U-Stop #20  
701 32<sup>nd</sup> Avenue  
Council Bluffs, IA 51501

**ORDER ACCEPTING  
ACKNOWLEDGEMENT/SETTLEMENT  
AGREEMENT**

ON this \_\_\_\_ day of \_\_\_\_\_, 2010, in lieu of a public hearing on the matter, the City Council approves the attached Acknowledgement/Settlement Agreement between the above-captioned permittee and the City of Council Bluffs, Iowa.

THEREFORE, the City Council for the City of Council Bluffs, Iowa, FINDS that the above-captioned permittee has remitted to the City of Council Bluffs, Iowa, a civil penalty in the amount of three hundred dollars (\$300.00). Be advised that this sanction will count as a first violation of Iowa Code Section 453A.2(1), pursuant to Iowa Code Section 453A.22(2)(a).

IT IS THEREFORE ORDERED that the judgment in this matter is hereby satisfied.

\_\_\_\_\_  
THOMAS P. HANAFAN Mayor

Attest:

\_\_\_\_\_  
MARCIA L. WORDEN City Clerk